IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.5l58 of 2005

Pradip S Naiknavare... Petitioner

vs

The Education Officer (Secondary)
Zilla Parishad Solapur and ors..Respondents

Mr.J M Khairadi for petitioner
Mr.D W Bhosale for respondent nos.2 and 3
Mr R D.Rane GP for respondent l and 4

CORAM:F.I.REBELLO & Smt R.S.DALVI JJ.

Dated 2l.ll.2005

P.C:

. Rule. Heard forthwith.

l. It is the contention of the petitioner that he was working with the school from June l998 till October 2003. From the documents on record it becomes clear that the school was recognised in June 200l and 20% grant started in 2003. Therefore at the highest the case of the petitioner can be considered from June 200l till October 2003.

2. If during that the petitioner was in the employment of the school, considering the fact that once the school was recognised, recognised school is bound to pay salary to the teacher in terms of

the School Act and the Rules.

3. Considering the above, petition stands disposed of by issuing following directions:

l) The respondent no.l to hear the management and record a finding if the petitioner was working between June 200l and October 2003.

2) If the respondent no.l comes to the conclusion that the petitioner in fact was working and for which he is entitled to salary, the respondent no.l to issue directions to respondent nos. 2 and 3 and if such directions are given, respondent nos. 2 and 3 are directed to comply with the same within a period of four weeks.

3) Needless to say that respondent no.l will hear the petitioner and respondent nos 2 and 3 before passing any order.

4) Petitioner and respondent nos. 2 and 3 to appear before the respondent no.l on 7th December 2005 at ll a.m.